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TRANSLATION

Republic of Mali
Ministry of Culture
Office of the Secretary General

Minister of Culture

No. 0835/MC-SG

Bamako, September 5, 2012

Her Excellency Mary Beth Leonard
Ambassador of the United States of America to Mali
Bamako

c/o
Mr. Tieman Coulibaly
Minister of Foreign Affairs and International Cooperation
Koulouba

Subject: *Extension of the Agreement between the Government of the United States of America and the Government of the Republic of Mali Concerning the Imposition of Export Restrictions on Archaeological Material from Mali*

Madam Ambassador:

The Ministry of Culture of the Republic of Mali presents its compliments to the Embassy of the United States of America and has the honor to acknowledge receipt of Note No. 110 of August 15, 2012 regarding the Agreement Between the Government of the United States of America and the Government of the Republic of Mali Concerning the Imposition of Import Restrictions on Archaeological Material from Mali from the Paleolithic Era (Stone Age) to Approximately the Mid-Eighteenth Century, done at Washington September 19, 1997, as amended and extended (hereinafter referred to as "the Agreement"), which reads as follows:

"The Embassy of the United States of America presents its compliments to the Ministry of Culture of the Republic of Mali and has the honor to refer to the Agreement Between the Government of the United States of America and the Government of the Republic of Mali Concerning the Imposition of Import Restrictions on Archaeological Material from Mali from the Paleolithic Era (Stone Age) to Approximately the Mid-Eighteenth Century, done at Washington September 19, 1997, as amended and extended (hereinafter referred to as "the Agreement"). The

Embassy, on behalf of the Government of the United States of America, proposes that, pursuant to Article IV.A of the Agreement, the Agreement be extended for an additional five-year period.

The Embassy further proposes that, pursuant to Article IV. B of the Agreement, the Agreement be amended by replacing Article II with the attached revised Article II.

If the foregoing proposals are acceptable to the Ministry of Culture, the Embassy proposes that this note, including the attached revised Article II, and the Ministry's note in reply, shall constitute an agreement to extend and amend the Agreement, which shall enter into force on the date of your note in reply and shall take effect on September 19, 2012."

The Ministry of Culture of the Republic of Mali has the honor to inform the Embassy of the United States of America that the foregoing proposal is acceptable to the Government of the Republic of Mali and to confirm that the Note No. 110 and this Note in reply shall constitute an agreement between our two Governments which shall enter into force on this date and be effective on September 19, 2012.

[Seal: Ministry of Culture]
[Signature]
Boubacar Hamadou Kébé
Minister of Culture

Attachments:

- Copy of the Note Verbale
- Copy of Draft Article II, as amended
- Copy of the Agreement

Ministry of Culture,

Bamako, September 5, 2012.

No. 110

The Embassy of the United States of America presents its compliments to the Ministry of Culture of the Republic of Mali and has the honor to refer to the Agreement Between the Government of the United States of America and the Government of the Republic of Mali Concerning the Imposition of Import Restrictions on Archaeological Material from Mali from the Paleolithic Era (Stone Age) to Approximately the Mid-Eighteenth Century, done at Washington September 19, 1997, as amended and extended (hereinafter referred to as "the Agreement"). The Embassy, on behalf of the Government of the United States of America, proposes that, pursuant to Article IV.A of the Agreement, the Agreement be extended for an additional five-year period.

The Embassy further proposes that, pursuant to Article IV. B of the Agreement, the Agreement be amended by replacing Article II with the attached revised Article II.

If the foregoing proposals are acceptable to the Ministry of Culture, the Embassy proposes that this note, including the attached revised Article II, and the Ministry's note in reply, shall constitute an agreement to extend and amend the Agreement, which shall enter into force on the date of your note in reply and shall take effect on September 19, 2012.

The Embassy of the United States of America takes this opportunity to renew to the Ministry of Culture of the Republic of Mali the assurances of its highest consideration.

Attachment: as stated.

Embassy of the United States of America,
Bamako, August 15, 2012.



DIPLOMATIC NOTE

2012 Extension - Amended Article II

- A. Representatives of the Government of the United States of America and representatives of the Government of the Republic of Mali shall take steps to publicize this Agreement.
- B. Recognizing the successful initiatives of the Government of the Republic of Mali through the establishment of Cultural Missions that carry out research, site management, and educational programs among local populations at major archaeological sites, the Government of the United States of America encourages the continuation of such measures as part of an effort toward sustainable strategies for protecting cultural resources.
- C. The Government of the United States of America recognizes that the Government of the Republic of Mali has a history of permitting the interchange of archaeological materials for exhibition and educational purposes to enable public appreciation of and access to Mali's cultural heritage. The Government of the Republic of Mali agrees to use its best efforts to encourage further interchange through consideration of accommodating requests for extended international loans of archaeological material to United States museums and academic institutions for educational, cultural, and scientific purposes under circumstances in which such exchange does not jeopardize Mali's cultural patrimony.
- D. As appropriate under existing programs in the public and/or private sectors, the Government of the United States of America shall use its best efforts to 1) respond to requests from the Republic of Mali for technical assistance in cultural resource management and security, and 2) promote professional exchanges to enhance capacity of the Republic of Mali in exhibition preparation and conservation science.
- E. Both Governments shall seek to encourage academic institutions, non-governmental institutions, and other organizations to cooperate in the interchange of knowledge and information about the cultural patrimony of the Republic of Mali, and to collaborate in the preservation and protection of Mali's cultural patrimony through appropriate technical assistance, training, and resources.
- F. The Government of the Republic of Mali shall seek to develop and promote professional training programs for archaeologists, museum staff, and public institution administrators responsible for cultural patrimony.
- G. The Government of the Republic of Mali shall initiate the work of its authorized inter-ministerial committee to coordinate activities to preserve cultural heritage, strengthen efforts to reduce the internal sale and export of the restricted antiquities, and sensitize tour operators and others about the need to protect archaeological sites against looting in regions such as the Sahara. This inter-ministerial committee and the U.S. Embassy shall meet once a year to review the status of the Agreement.
- H. The Government of the Republic of Mali shall endeavor to strengthen cooperation with its neighboring states, for the protection of the cultural patrimony of the region.

- I. The Government of the Republic of Mali shall seek the cooperation of other nations where there is a market for illicit Malian archaeological material to reduce the importation into those countries of such material.
- J. The Government of the Republic of Mali shall endeavor to identify and record the locations of undocumented archaeological sites through field surveys, and to use its best efforts to protect these sites. The Government of the Republic of Mali shall continue its registration and monitoring of known archaeological sites.
- K. The Government of the Republic of Mali shall develop and maintain a comprehensive record of reported incidents of looting of archaeological sites. Such record shall include an indication of the eventual outcome of cases that result in prosecution or penalties.
- L. Each Government shall keep the other informed of the effectiveness of the measures agreed to in this Agreement; reports shall be exchanged in October 2014 to coincide with an interim review, and in March 2017, should there be a proposal to extend the Agreement.